

REMARKS

Claims 1-8, 10-13, 16-24, and 26-41 are pending. By this amendment, claims 16 and 24 are rewritten in independent form including all of the limitations of the base claim and any intervening claims. Reconsideration and issuance of a Notice of Allowance are respectfully requested.

35 U.S.C. § 102 Rejections

On page 2 the Office Action rejects claims 1-8, 10-13, 17-23, and 26-41 under 35 U.S.C. §102(e) over U.S. Patent 7,380,107 to Steely, Jr. et al. (the “107 patent”). This rejection is respectfully traversed.

The ‘107 patent is assigned to Hewlett-Packard Development Company, L.P. (HP). Applicant submits Declarations of Simon C. Steely, Jr. and Gregory E. Tierney pursuant to 37 C.F.R. § 1.132, showing that they conceived or invented the relevant portion of the subject matter disclosed in the ‘107 patent and relied upon by the Examiner in rejecting claims 1-8, 10-13, 17-23, and 26-41 without the other inventor, i.e., Stephen R. Van Doren. Therefore, the relevant portion of the subject matter disclosed in the ‘628 publication and relied upon by the Examiner in rejecting claims 1-8, 10-13, 17-23, and 26-41 is not the invention by another and should not be used against Applicant in the present application. Accordingly, claims 1-8, 10-13, 17-23, and 26-41 are patentable.

Withdrawal of the rejection of claims 1-8, 10-13, 17-23, and 26-41 under 35 U.S.C. §102(e) is respectfully requested.

Allowable Subject Matter

Applicant thanks the Examiner for indicating on page 11 that claims 16 and 24 contain allowable subject matter. Claims 16 and 24 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims. Prompt allowance of claims 16 and 24 is respectfully requested.

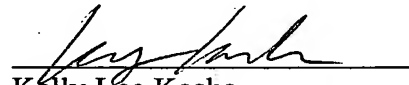
Conclusion

In view of the above remarks, Applicant respectfully submits that the application is in condition for allowance. Prompt examination and allowance are respectfully requested.

Should the Examiner believe that anything further is desired in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

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Respectfully submitted,


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